THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20443 of 2006

28.9.2006

Between:

G.Govinda Rao, S/o.Shri G.Anata Rao

... Petitioner

AND

The Secretary to Government of Andhra Pradesh,
Revenue Department, Secretariat, Hyderabad
And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20443 of 2006

ORDER:

The petitioner is statedly owner of the house bearing No.1-59/9/A (plot No.31/A) in survey No.44/1 situated at Miyapur Village of Serilingampalli Mandal in Ranga Reddy District, under registered sale deed dated 02.8.1982. As he required money for domestic necessities, he offered to sell the land, and accordingly he agreed to sell away the land to one Mr.Sohanlal, for a valid consideration of Rs.4,66,000/-. After payment of necessary charges by way of challan, the petitioner along with vendee approached the third respondent for registration of sale deed. The third respondent allegedly did not accept the sale deed. The reason, as informed by the third respondent, is that he was informed by the Inspector General, Stamps (R&S) not to receive any sale deed in respect of certain survey number including that of survey No.44. Aggrieved by the same, present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the third respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be it noted, if for any reason, the document presented is not registered, it

is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

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(**V.V.S.RAO,J**)

September 28, 2006.

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